

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ANGELA PATE,

Plaintiff,

Case No. 3:12-CV-423

vs.

COMMISSIONER OF
SOCIAL SECURITY,

District Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. 16)

Before the Court is the Report and Recommendation of Magistrate Judge Michael J. Newman (doc. 16), concerning the parties' joint stipulation for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). Doc. 15. Magistrate Judge Newman recommended that Plaintiff be awarded the \$3,000.00 referenced in the joint stipulation. Neither Plaintiff's counsel nor the Commissioner has opposed the Report and Recommendation, and the time for doing so has expired. Having carefully reviewed this matter, the Court rules as follows:

1. The Magistrate Judge's Report and Recommendation dated November 26, 2013 (doc. 16) is **AFFIRMED**;
2. The parties' joint stipulation -- construed as a joint, unopposed motion for EAJA fees in the amount of \$3,000.00 (doc. 15) -- is **GRANTED**, and Plaintiff's counsel is **AWARDED** the sum of \$3,000.00; and
3. This matter is hereby **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: December 20, 2013

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge